IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 23RD NOVEMBER 2007 / 2ND AGRAHAYANA 1929

Crl.Rev.Pet.No. 1076 of 2000()

CC.360/1993 of JUDL. MAGI. OF FIRST CLASS-I (FOREST OFFENCES), THODUPUZHA

CRA.169/1996 of ADDL.SESSIONS COURT, THODUPUZHA

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REVN. PETITIONER:

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1. ULAHANNAN, S/O.MATHAI,
OOLIPARAMBIL,
UPPUKUNNU BHAGAM,
UDUMBANNOOR VILLAGE, THODUPUZHA TALUK.

2. SAJEEV, S/O.ULAHANNAN,
OOLIPARAMBIL, UPPUKUNNU BHAGOM,
UDUMBANNOOR VILLAGE, THODUPUZHA TALUK.

BY ADV. SRI.M.K.CHANDRA MOHANDAS

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE FOREST
RANGE OFFICER, NERIAMANGALAM, IDUKKI DISTRICT.

2. FOREST RANGE OFFICER, NERIAMANGALAM,
IDUKKI DISTRICT.

BY PUBLIC PROSECUTOR, SRI AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 23/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P.NO.5747/2000 IN CRL.R.P.NO.1076/2000

DISMISSED.

SD/- K.R.UDAYABHANU, JUDGE

23/11/2007

\\TRUE COPY//

K.R.UDAYABHANU, J.

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Crl. R.P.No.1076 of 2000

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Dated this the 23rd day of November, 2007

O R D E R

The revision petitioners stand convicted for the offence under Section 27(1)(e)(iv) of the Kerala Forest Act and sentenced to undergo simple imprisonment for one year each and to pay a fine of Rs.1,000/- each and in default to undergo simple imprisonment for three months each. All of them were charge sheeted for having cut and removed timber from the reserve forest causing a loss of Rs.2,000/- to the Government and charge sheeted also for the offence under Section 27(1)(e)(iii) of the Kerala Forest Act.

2. The counsel for the revision petitioners has only sought for modification of sentence pointing out that about 14 years have elapsed since the commencement of the proceedings and so far they were facing the prosecution and further proceedings. It is submitted that the sole means of livelihood of their families are the earnings of the revision petitioners. In view of the long lapse of time the sentence imposed for the offence under Section 27(1)(e)(iv) of the Kerala Forest Act is modified to imprisonment till the rising of the court and to pay a fine of

rupees five thousand each and in default to undergo simple imprisonment for three months each. The accused shall appear before the Judicial Magistrate of the First Class-I, Thodupuzha, on 14/12/2007 to receive the sentence. The criminal revision petition is disposed of as above.

Sd/-

K.R.UDAYABHANU,
Judge

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